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Floor Briefing

WEDNESDAY, MARCH 21, 2001

The House will meet at 10:00 a.m. for legislative business.

Suspensions (5 bills):

H.Con.Res. 43 – Printing A Revised and Updated Version of the Document "Black Americans in Congress, 1870-1989"

H.R. 1042 – Science Committee Reports Restoration Act

H.R. 1098 – Maritime Policy Improvement Act of 2001

H.R. 1099 – Coast Guard Personnel & Management Safety Act of 2001

H.R. 496 – Independent Telecommunications Consumer Enhancement Act of 2001

Suspensions (5 bills):

Floor Situation

Yesterday, the Rules Committee granted a rule allowing for consideration of five bills under suspension of the rules. Each is debatable for 40 minutes, may not be amended, and require a two-thirds majority vote for passage.

Summary

H.Con.Res. 43 authorizes the printing of a revised and updated version of the House document entitled "Black Americans in Congress, 1870-1989". The document will be updated for the first time since 1990 with assistance from the Library of Congress. The latest edition of this work, published in 1990, contains brief biographies, photographs or sketches, and other important historical information about the 66 distinguished African-Americans who have served in either house of Congress prior to January 23, 1990. An analysis of the membership of the six subsequent Congresses reveals that, as of today, an additional 40 distinguished African-Americans have served since the last edition. H.Con.Res. 43 was introduced by Mr. Hoyer on February 27, 2001. The measure was referred to the House Committee on Administration, but was not considered.

H.R. 1042 reinstates 29 annual and semiannual reports submitted to Congress on matters of science that were eliminated by the Federal Reports Elimination and Sunset Act of 1995 (*P.L. 104-66*.) These matters include energy policy, critical technologies, marine science, U.S. aeronautics and space activities, and other areas under the jurisdiction of the Science Committee. The 1995 act went into effect on May 15, 2000, at which time all reports not exempted expired. The Science Committee identified 29 reports they want reinstated that are critical and relevant to their congressional oversight and government accountability. Mr. Grucci introduced H.R. 1042 on March 15, 2001. The measure was referred to the House Science Committee, but was not considered. A similar bill, H.R. 3904, passed the House by voice vote on April 3, 2000.

H.R. 1098 authorizes the Secretary of Transportation to make a grant to the American Merchant Marine Veterans Memorial Committee to construct an addition to the American Merchant Marine Memorial Wall of Honor in San Pedro, California. In addition, to protect shipyard operators from unscrupulous business practices, the bill extends current law for preferred mortgages to a valid lien against a vessel not covered by a preferred mortgage. The bill also requires the discharge from a vessel of any agricultural cargo residue material in the form of hold washings to be governed exclusively under the provisions of MARPOL (Marine Pollution) Annex V, an international agreement that regulates ship discharge pollution. The bill was introduced by Mr. Young of Alaska on March 20, 2001. It was referred to the Committee on Transportation and Infrastructure, but was not considered.

H.R. 1099 contains provisions regarding vessel safety and personnel management policies of the United States Coast Guard. Specifically, the bill (1) authorizes the Coast Guard to promote certain high performing officers to improve officer retention; (2) raises the maximum civil penalty from \$1,000 to \$5,000 for the negligent operation of a recreational vessel or for interfering with

the safe operation of a recreational vessel, and from \$1,000 to \$25,000 for negligent operation of a commercial vessel; (3) extends six Coast Guard advisory committees from 2000 to 2005; (4) authorizes the Coast Guard to accept up to seven excess patrol ships from the U.S. Navy for drug interdiction operations; and (5) authorizes the Coast Guard to borrow up to \$100 million from the Oil Spill Liability Trust Fund for additional emergency oil spill cleanup removal. The bill was introduced by Mr. Young of Alaska on March 20, 2001. It was referred to the Committee on Transportation and Infrastructure, but was not considered.

H.R. 496 reduces the regulatory burden imposed upon “two percent” telecommunications carriers (companies having less than two percent of the nation’s telecommunications subscriber lines) so that they may more effectively respond to competition in rural and less-densely populated areas. It also requires the Federal Communications Commission (FCC) to expedite reviews of merger and acquisition proposals, or rule waiver requests that are made by those companies. Existing regulations are tailored to larger carriers, and impose disproportionate burdens on “two percent” carriers.

The bill provides specific regulatory relief to “two percent” carriers by exempting them from FCC requirements that apply to incumbent local exchange carriers (ILECs) and requires the FCC to separately evaluate the burden that any proposed regulatory, compliance, or reporting requirements would have on “two percent” carriers. The measure also exempts a “two percent” carrier from (1) FCC requirements regarding filing cost allocation manuals or Automated Reporting and Management Information systems; or (2) establishing or maintaining a separate affiliate to provide any common carrier or noncommon carrier services or to maintain separate officers, personnel, facilities, books or accounts.

Currently, “two percent” carriers are bound by the “all or nothing” rules (i.e. if they provide service in a study area they must enter into all National Exchange Carrier Association tariff pools for that area and are subject to that area’s price cap regulations.) H.R. 496 exempts these “two percent” carriers from these “all or nothing” provisions allowing them to enter into selected tariff pools and choose which price cap regulations they are subject to pay. On February 28, 2001, the Energy and Commerce Committee reported H.R. 496 ([H. Rept. 107-20](#)) reported by voice vote. Similar legislation, H.R. 3850 ([H. Rept. 106-926](#)), passed the House on October 3, 2000 by voice vote.

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